REMARKS/ARGUMENTS

Claims 1 - 12 are pending.

Claim 1 was rejected under 35 U.S.C. Section 102 for allegedly being anticipated by Iwata, U.S. Pat. No. 5,933,425.

Claims 2 - 6, and 12 are rejected under 35 U.S.C. § 112 second paragraph.

It is noted with appreciation that claims 7 - 11 are allowed, and that claims 2 - 6, and 12 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112.

A review of the specification and the drawings revealed some typographical errors. The specification and the drawings have been corrected without introducing new matter.

Claim 12 has been amended per the Examiner's suggestion. In addition, a misspelling has been corrected. The Section 112 rejection of claim 12 is believed to be overcome.

As for claim 2, the word "units" was objected to in the phrase "receiver units." However, the plural form "units" as originally recited refers to "sender and receiver" units, and does not refer to plural "sender units." Nonetheless, claim 2 has been amended to recite "the sender unit and the receiver unit" to more clearly indicate this. The Section 112 rejection of claim 2 is believed to be overcome.

Claims 5 and 6 have been amended to correct a misspelling that was identified during a review of the claims.

As to the Section 102 rejection of claim 1, the present invention as recited in claim 1 includes a "core network including relay elements intercoupled by data links" and "a gateway element coupled to the core network." By comparison, the reference to Iwata shows in Fig. 1 a "communications network in which a plurality of nodes A, B, C, D and E are interconnected by communication links." *Col. 3, lines 24 - 29 (underlining added to emphasize).*

The Office action asserted that the claimed "gateway element" reads on node A of Iwata. However, claim 1 recites a "core network" that includes "relay elements." Claim 1 further recites a "gateway element," which is not recited as being part of the "core network."

Node A of Iwata is a constituent of the described "communications network." Respectfully, there is no basis identify node A as being an element that is separate from the "communications network" in order to make the assertion that node A shows the claimed "gateway element." Iwata clearly describes a "communications network in which a plurality of nodes A, B, C, D and E are interconnected by communication links." *Id.* It is earnestly submitted that one of ordinary skill, in light of the entire Iwata reference, would not view node A as showing the "gateway element" that is recited in claim 1. Moreover, the one of ordinary skill would view node A as being part of the disclosed "communications network," especially since Iwata is quite clear that node A (along with nodes B - E) is a constituent of a "communications network."

Consequently and contrary to the assertion in the Office action, Fig. 1 of Iwata does not show a "gateway element." For at least this reason, the Section 102 reference is believed to be overcome.

A further aspect of the present invention as recited in claim 1 includes a gateway element "the gateway element having at least one information table identifying at least one route from the gateway element through the core network to the receiver unit." As discussed above, node A of Iwata is not a gateway element. Iwata therefore does not show a gateway element having such a table.

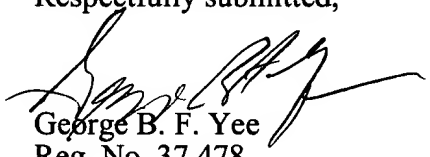
To further distinguish the present invention as recited in claim 1 from the prior art, the claim has been amended to recite the "at least one information table ... [includes] data links which constitute the at least one route and status of the one or more data links." Iwata shows a "protocol converter 102 which exchanges link-status signaling messages via ATM switch 101 with other network nodes and maps, in a link state database 103, relationships between link identifiers of all the network links and their resource constraints represented by quality-of-service (QOS) parameter values and administrative weights (AW)." *Col. 3, lines 30 - 36.* The database (103) shows QOS and AW values only for individual network links, not for network links "which constitute the at least one route and status of the one or more data links." Iwata does not show this aspect of the present invention.

CONCLUSION

In view of the foregoing, all claims pending in this Application are believed to be in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400, extension 5252.

Respectfully submitted,



George B. F. Yee
Reg. No. 37,478

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
GBFY:cmm
60323208 v1